

sation," to be under the new subtitle "~~Death and Disability Payments—Fire Fighters,~~" to follow immediately after Section 102 64 thereof, to establish certain medical conditions where the death or disability of a fire fighter is presumed to be accidental and as a result of his employment PROVIDE THAT THERE IS A PRESUMPTION OF COMPENSABLE OCCUPATIONAL DISEASE IN CASES OF CERTAIN FIRE FIGHTERS SUSTAINING TEMPORARY OR TOTAL DISABILITY OR DEATH UNDER CERTAIN CONDITIONS, AND TO PROVIDE THAT BENEFITS MAY ALSO BE PAYABLE UNDER A RETIREMENT SYSTEM UNDER CERTAIN CONDITIONS.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That new Section ~~102~~ 64A be and it is hereby added to Article 101 of the Annotated Code of Maryland (1970 Supplement), title "Workmen's Compensation," to be under the new subtitle "~~Death and Disability Payments—Fire Fighters,~~" SUBTITLE, "MISCELLANEOUS" to follow immediately after Section ~~102~~ 64 thereof, and to read as follows:

*Death and Disability Payments—Fire Fighters*

~~102~~ 64A.

*Any condition or impairment of health of any PAID municipal, county, airport authority, port authority, or fire control district fire fighter caused by lung diseases, heart diseases, or hypertension resulting in total or partial disability or death shall be presumed to have been accidental and to have been suffered in the course of his employment, provided that such fire fighter had successfully passed a physical examination upon entering into service as a fire fighter which failed to reveal any evidence of any such condition or impairment of health* PRESUMED TO BE COMPENSABLE UNDER THIS ARTICLE AND TO HAVE BEEN SUFFERED IN THE LINE OF DUTY AND AS A RESULT OF HIS EMPLOYMENT.

NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE AND ANY PAID FIRE FIGHTER WHOSE COMPENSABLE CLAIM RESULTS FROM A CONDITION OR IMPAIRMENT OF HEALTH CAUSED BY LUNG DISEASES, HEART DISEASES OR HYPERTENSION AND HAS BEEN SUFFERED IN THE LINE OF DUTY SHALL RECEIVE SUCH BENEFITS AS ARE PROVIDED FOR IN THIS ARTICLE IN ADDITION TO SUCH BENEFITS AS HE MAY BE ENTITLED TO UNDER THE RETIREMENT SYSTEM IN WHICH SAID FIRE FIGHTER WAS A PARTICIPANT AT THE TIME OF HIS CLAIM. THE BENEFITS RECEIVED UNDER THIS ARTICLE HOWEVER, SHALL BE ADJUSTED SO THAT THE TOTAL OF ALL WEEKLY BENEFITS SHALL NOT EXCEED ONE HUNDRED PERCENT OF THE WEEKLY SALARY WHICH WAS PAID TO SAID FIRE FIGHTER.

SEC. 2. *And be it further enacted,* That this Act shall take effect July 1, 1971.

Approved May 24, 1971.